



Ethics in Education Act

Senate Bill 1712 (Chapter Law 2008-108), the Ethics in Education Act, became effective July 1, 2008, and impacts certain operational procedures for private schools participating in the McKay and Corporate Tax Credit Scholarship Programs. Oasis Academy participates in these programs and, as a result, must comply with these requirements. Furthermore, the information presented herein is extremely important not only because of the legal requirements attached to it, but for the overall safety and well-being of children under our care and our fellow coworkers. The Ethics in Education Act amends Section 1002.421, Florida Statutes, related to participating private school accountability, by adding new requirements to the employee screening process. All instructional personnel and school administrators in a position that requires direct contact with students are subject to the new screening standards. The private school accountability statute has also been amended to require private schools to develop standards of ethical conduct for the school's instructional personnel and administrators. Instructional personnel and school administrators are defined by Sections 1012.01(2) and (3), Florida Statutes. Finally, the Act amends Section 1006.061, Florida Statutes, related to the state's child abuse, abandonment, and neglect policy. Private and charter schools are now required to comply with these policies.

But they that wait on the Lord shall renew their strength, they shall mount up with wings of eagles; they shall run, and not be weary, and they shall walk and not faint, Isaiah 40:31

540 North West `165 Street Road Suite104
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Code of Ethics

This code of ethics has been adapted from the Principles of Professional Conduct for the Education Profession in Florida. The employees at Oasis Academy are required, as a condition of employment, to adhere to the provisions of this code.

- 1.** Our school values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
- 2.** Our primary concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.
- 3.** Concern for the student requires that our instructional Personnel:
 - a.** Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
 - b.** Shall not unreasonably restrain a student from independent action in pursuit of learning. d. Shall not unreasonably deny a student access to diverse points of view.
 - c.** Shall not unreasonably deny a student access to diverse points of view.
 - d.** Shall not intentionally suppress or distort subject matter relevant to a student's academic program.
 - e.** Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
 - f.** Shall not intentionally violate or deny a student's legal rights.
 - g.** Shall not harass or discriminate against any student based on race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.
 - h.** Shall not exploit a relationship with a student for personal gain or advantage.
 - i.** Shall keep in confidence personally identifiable information obtained during professional service unless disclosure serves professional purposes or is required by law.

4. Aware of the importance of maintaining the respect and confidence of colleagues, of student, of parents, and of the community, employees of our school must display the highest degree of ethical conduct. This commitment requires that our employees:

a. Shall maintain honesty in all professional dealings.

b. Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.

c. Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.

d. Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable effort to assure that everyone is protected from such harassment or discrimination.

e. Shall not make malicious or intentionally false statements about a colleague.

f. Shall immediately report to one's direct supervisor any instance or incident involving alleged employee or administrator misconduct that affects the health, safety or welfare of a student. Please note that legally sufficient allegations of misconduct by Florida certified educators must be reported to the State of Florida Office of Professional Practices Services using the Educator Misconduct Reporting Form. The form is included as part of this booklet.

g. Shall not use coercive means or promise special treatment to influence professional judgments of colleagues.

h. Shall not misrepresent one's own professional qualifications.

i. Shall not submit fraudulent information on any document in connection with professional activities.

j. Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.

k. Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

l. Shall provide upon the request of the certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.

m. Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct for the Education Profession in Florida and other applicable Florida Statutes and State Board of Education Rules.

n. Shall self-report within forty-eight (48) hours to one's direct supervisor any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. In the case of sealed and expunged records disclosed under this rule, the School will comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), Florida Statutes.

o. Shall report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), Florida Statutes.

p. Shall seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Section 1012.795(1), Florida Statutes. **q.** Shall comply with the conditions of an order of the Education Practices Commission.

r. Shall, as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

Training Requirement

All instructional personnel and administrators are required as a condition of employment to complete training on these standards of ethical conduct.

Training may be provided or conducted as determined appropriate by the administrator, but at a minimum must include examples of violations of the code of ethics and principle of professional conduct and potential penalties, information on how to properly identify and report child abuse or neglect procedures on how to report misconduct of other instructional personnel and school administrator, requirements of self-reporting criminal charges, the nature and consequences of disqualifying offences, the importance of being a role model, and the fiduciary responsibility of being an educator.

Reporting Misconduct by Instructional Personnel and Administrators

All employees and administrators have an obligation to report misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student.

Examples of misconduct include obscene language, drug and alcohol use, disparaging comments, prejudice or bigotry, sexual innuendo, cheating or testing violations, physical aggression, and accepting or offering favors.

Reports of misconduct of employees should be made to **Kennedy M. Thomas, Principal**, at 540 NW 165 Street, Suite 104, Miami, FL 33169 or via email at kthomas@ocady.com .

Reports of misconduct committed by administrators should be made to **Kennedy M. Thomas, Principal** at 540 NW 165 Street, Suite 104, Miami, FL 33169 or via email at kthomas@ocady.com and copy to Board of directors.

Legally sufficient allegations of misconduct by Florida certified educators will be reported to the Office of Professional Practices Services. Policies and procedures for reporting misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student are posted in the main office, classrooms, cafeteria and on our Web site at www.oasisacademy5.com

Reporting Child Abuse, Abandonment or Neglect

In accordance with section 39.201, Florida Statutes, any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall report such knowledge or suspicion to the Department of Children and Families(DCF) Central Abuse Hotline at 1-800-96-ABUSE.

Instructional personnel and school administrators may report such information to DCF in unison but reporting to another school employee does not fulfill the legal obligation to report to DCF.

A Person who is required by statute to report known or suspected abuse or neglect and fails to do so, is subject to disciplinary action by the employer, by the State Department of Education and/or through criminal prosecution.

All employees and agents have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect. Call 1-800-96-ABUSE or report online at:

<http://www.dcf.state.fl.us/abuse/report/>.

Signs of Physical Abuse

The child may have unexplained bruises, welts, cuts, or other injuries: broken bones: or burns. A child experiencing physical abuse may seem withdrawn or depressed, seem afraid to go home or may run away, shy away from physical contact, be aggressive or wear inappropriate clothing to hide injuries.

Signs of Sexual Abuse:

The child may have torn, stained or bloody underwear, trouble walking or sitting, pain or itching in genital area, or a sexually transmitted disease. A child experiencing sexual abuse may have unusual knowledge of sex or act seductively, fear a particular person seem withdrawn or depressed, gain or lose weight suddenly, shy away from physical contact, or run away from home.

Signs of Neglect:

The child may have unattended medical needs, little or no supervision at home, poor hygiene, or appear underweight. A child experiencing neglect may be frequently tired or hungry, steal food, or appear overly needy for adult attention.,

Patterns of Abuse:

Serious abuse usually involves a combination of factors. While a single sign may not be significant, a pattern of physical or behavioral signs is a serious indicator and should be reported.

If a child tells YOU about abuse:

Be a good listener. Show that you understand and believe what the child tells you. Encourage, but don't pressure him/her to talk. Ask open ended questions.

Be supportive. Tell the child he/she did the right thing by coming to you. Stress that he/she is not to blame. Let the child know that you want to help.

Don't overreact. This can frighten the child or prevent him/her from telling you more. Do not talk negatively about the suspected abuser in front of the child.

Document and report it. Document your conversation as soon as you can. If possible, write down the child's exact words.

Don't delay. Never assume someone else will report the abuse. The sooner it is reported, the sooner the child and their family can be helped.

Call or Report it online at: <http://www.dcf.state.fl.us/abuse/report/>

Below is the text of Florida Statutes Chapter 39.203, which provides for immunity from liability for persons reporting in good faith any instance of child abuse, abandonment, or neglect as required by law. This, however, does not provide immunity to someone suspected of engaging in the prohibited conduct. The Statute also protects employees from being disciplined for reporting the prohibited conduct as required by law and establishes a civil cause of action for employees who are punished for carrying out their obligations under the law as part of this Statute.

Florida Statutes Chapter 39.203: Immunity from liability in cases of child abuse, abandonment, or neglect.

(1)(a) Any person, official, or institution participating in good faith in any act authorized or required by this chapter, or reporting in good faith any instance of child abuse, abandonment, or neglect to the department or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action.

(b) Except as provided in this chapter, nothing contained in this section shall be deemed to grant immunity, civil or criminal, to any person suspected of having abused, abandoned, or neglected a child, or committed any illegal act upon or against a child.

(2)(a) No resident or employee of a facility serving children may be subjected to reprisal or discharge because of his or her actions in reporting abuse, abandonment, or neglect pursuant to the requirements of this section.

(b) Any person making a report under this section shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of such reporting party by reason of his or her making such report. Any detrimental change made in the residency or employment status of such person, including, but not limited to, discharge, termination, demotion, transfer, or reduction in pay or benefits or work privileges, or negative evaluations within a prescribed period of time shall establish a rebuttable presumption that such action was retaliatory.

Reporting Certified Educator Misconduct

Reporting Directions:

For questions, contact our office at 850.245.0438 **In addition to the reporting form, submissions to the Office of Professional Practices Services should include:**

1. All investigative materials, reports, evidence, documents or related materials (Examples include, victim or witness statements, arrest reports or court documents, newspaper articles, computer evidence, video or audio tapes, text messages or cell phone records, photographs, grade books or calendars, gifts/items, statements, arrest report(s), court documents, local investigative reports, termination or disciplinary documents, letter of resignation, district disciplinary action documents, DOAH Orders, and class rosters). Do not send sanitized or redacted documents.
2. The educator's current certification information and any applications processed or renewed at the local level
3. Name and contact information for all victims and witnesses (see and duplicate page two as necessary).

Direct all correspondence via regular mail to:

Florida Department of Education, Office of Professional Practices Services,
325 West Gaines Street, Suite 224-E,
Tallahassee, Florida 32399-0400

PROHIBITION OF BULLYING AND HARASSMENT

All students and school employees have the right to an educational setting that is safe, secure, and free from harassment and bullying of any kind. Oasis Academy will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and/or harassment, as defined by section 1006.147, Florida Statutes, are prohibited.

Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students and may involve but is not limited to:

1. Teasing
2. Social Exclusion
3. Threat
4. Intimidation
5. Stalking
6. Physical violence
7. Theft

8. Sexual, religious, or racial harassment
9. Public humiliation
10. Destruction of property

Harassment means any threatening, insulting, or dehumanizing gesture use of data or computer software, or written verbal or physical conduct directed against a student or school employee. That:

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or property.
2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
3. Has the effect of substantial disrupting the orderly operation of a school.

Bullying and Harassment also include:

Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

Perpetuation of conduct listed in paragraph (a) or paragraph (b) by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:

- a. Incitement or coercion:
- b. Accessing or knowingly causing or providing access to data or computer software through a computer, computer system or computer network within the scope of the Academy's network system; or
- c. Acting in a manner that has an effect substantially like the effect of bullying and harassment.

DISCRIMINATION PROHIBITED

All employees shall abide by Oasis Academy's policy on prohibiting discrimination. No person shall, on the basis of race color, religion, gender, age marital status, disability, political or religious beliefs, national or ethnic origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or any employment conditions or practices conducted by Oasis Academy, except as provided by law.

ALCOHOL AND DRUG FREE WORKPLACE

No employee shall possess, consume, sell distribute, dispense, use or be under the influence of any alcoholic beverage in the workplace, including all sponsored events that may be on or off school grounds. No employee shall possess, consume, inject or ingest, sell, manufacture, distribute, dispense, or be under the influence of, on or off the job, or in the workplace, including all school sponsored events that may be

on or off school grounds, any narcotic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined in the Controlled Substances Act and as further defined by regulations 21 CFR 12001.11 through 1300.15 of Florida Statutes Chapter 893, without a lawful prescription. As a condition of employment, each employee will abide by the terms of this policy and notify the Superintendent of any arrest for a criminal drug offense within 48 hours.

REASONABLE SUSPICION TESTS

As a condition of continued employment, current employees shall submit to drug screening when reasonable suspicion exists to believe that an employee is using substance that is impairing the employee and/or his or her job performance.

PERFORM DUTIES IN A COMPETENT MANNER

Continuing evaluation of instructional and administrative staff is necessary to enable the Administrator to monitor the effectiveness and competence of instructional and support staff members and to assist them in the improvement of their professional performance. In accordance with section 1012, Florida Statutes, the performance and capacity of instructional staff shall be evaluated.

CONFLICTS OF INTEREST

No employee shall engage in conduct, which creates a conflict of interest. A conflict of interest shall be defined as a situation in which regard for a private interest tends to lead to disregard of public duty or interest.

TABACCO USE

All use of tobacco products in any form are prohibited in or on any school owned building, facility or property.

ELECTRONIC COMMUNICATIONS AND SOCIAL NETWORKING SITES

Instructional Personnel and School Administrators shall use caution and good judgment when using electronic communications and social networking sites. Any information relayed to students via electronic communication shall be professional in nature and related to a student's academic progress. Any information posted to or communicated through a social networking site shall not bring disfavor, embarrassment or condemnation to the employee, student or Oasis Academy.

REPORTS TO THE OFFICE OF PROFESSIONAL PRACTICES SERVICES (DOE)

Any violation of these standards of conduct may result in the information being reported to the Office of Professional Practices Services for investigation to determine if disciplinary action should be taken against an educator's Florida Educator Certificate

PROHIBITION AGAINST CONFIDENTIALITY AGREEMENTS

Oasis Academy is a participant in the McKay Scholarship Program and the Corporate Tax Scholarship Program, both of which are authorized by Florida Statutes and administered by the Florida Department of Education.

As a condition of its participation in these programs, Oasis Academy is prohibited from executing confidentiality agreements with instructional personnel or school administrators who are dismissed, terminated, or who resign in lieu of termination due to misconduct that affects the health, safety, or welfare of a student. As required by Florida Statute, Oasis Academy will disclose all of the aforementioned scenarios to prospective employers.

Oasis Academy is protected from civil liability regarding the disclosure of this information under chapter 768.095 of Florida Statutes, which specifically provides that an employer who discloses information about a current or former employee to a prospective employer of that former or current employee is immune from civil liability. However, if clear and convincing evidence shows that the disclosure by Oasis Academy was known to be false or violated the civil rights or the former or current employee under chapter 760 of Florida Statutes, then that immunity does not apply.

The exact text of the Statute is shown below:

768.095 Employer immunity from liability; disclosure of information regarding former or current employees.

An employer who discloses information about a former or current employee to a prospective employer of the former or current employee upon request of the prospective employer or of the former or current employee is immune from civil liability for such disclosure or its consequences unless it is shown by clear and convincing evidence that the information disclosed by the former or current employer was knowingly false or violated any civil right of the former or current employee protected under chapter 760.

**RECEIPT OF CODE OF ETHICS AND
ETHICS IN EDUCATION ACT INFORMATION**

This is to acknowledge that I have received a copy of the Oasis Academy Code of Ethics along with information related to the Ethics in Education Act. I understand that it sets forth certain terms and conditions of my employment as well as the duties, responsibilities and obligations of my employment with Oasis Academy. I understand and agree that it is my responsibility to read this document and to abide by the laws, policies, regulations and standards set forth herein. I also acknowledge that this document has been explained to me and that I understand its provisions. If I have questions regarding the content or interpretation of this Code of Ethics, I will bring them to the attention of the Administrator.

NAME _____

SIGNATURE _____ Date _____

EDUCATOR MISCONDUCT REPORTING FORM

Office of Professional Practices Services

REPORTER INFORMATION:

___ Public School ___ Charter School ___ Private School ___ FSDB ___ Lab School

REPORTER CONTACT INFORMATION:

School/District: _____

Contact Person Name and Title: _____

Contact Address and Telephone: _____

INFORMATION REGARDING THE EDUCATOR BEING REPORTED

EDUCATOR'S NAME _____

ADDRESS: _____

HOME PHONE: _____ WORK PHONE: _____

CELL PHONE: _____ SSN: _____ DOB: _____

DOE CERTIFICATE # _____ ASSIGNED SCHOOL: _____

POSITION: _____ SUBJECT/GRADE LEVEL: _____

YEARS EXPERIENCE: _____ CONTRACTUAL STATUS: _____

CURRENT EMPLOYMENT STATUS _____

SUMMARY OF THE ALLEGATION:

Reporting Directions:

For questions, contact our office at 850.245.0438 **In addition to the reporting form, submissions to the Office of Professional Practices Services should include:**

1. All investigative materials, reports, evidence, documents or related materials (Examples include, victim or witness statements, arrest reports or court documents, newspaper articles, computer evidence, video or audio tapes, text messages or cell phone records, photographs, grade books or calendars, gifts/items, statements, arrest report(s), court documents, local investigative reports, termination or disciplinary documents, letter of resignation, district disciplinary action documents, DOAH Orders, and class rosters). Do not send sanitized or redacted documents.

- 2. The educator's current certification information and any applications processed or renewed at the local level
- 3. Name and contact information for all victims and witnesses (see and duplicate page two as necessary).

Direct all correspondence via regular mail to:

Florida Department of Education, Office of Professional Practices Services,
 325 West Gaines Street, Suite 224-E,
 Tallahassee, Florida 32399-0400

EDUCATOR MISCONDUCT REPORTING FORM

PAGE TWO

VICTIMS

Name: _____

Address: _____

Telephone: _____

DOB: _____

Current _____

Name: _____ Address: _____

Telephone: _____

DOB: _____ Current School: _____

WITNESSES

Name: _____ Name: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

DOB: _____ DOB: _____

Current School: _____

Name: _____ Name: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

DOB: _____ DOB: _____

Current School: _____ Current School: _____

*But they that wait on the Lord shall renew their strength; they shall mount up with wings of eagles;
 they shall run, and not be weary, and they shall walk and not faint, Isaiah 40:31*

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